

ATTACHMENT 1

<u>DTX</u>	<u>Irrelevant To Purported Defense Because</u>	<u>Summary</u>	<u>Objections</u>
378	<ul style="list-style-type: none"> • Does not concern license terms <i>at all</i> • Concerns false allegations of misconduct by <i>Oracle</i> 	Accuses <i>Oracle</i> of “egregious” and “tortious” conduct as part of “a continuing, calculated effort by Oracle to . . . intimidate Rimini Street from participating in the market” because an Oracle salesperson left a voicemail for a Rimini Street client.	FRE 408 (Order re Oracle MIL, Dkt. No. 723 at 7 (reserving issue on case-by-case basis at trial)) Order excluding antitrust rhetoric (Order re Oracle MIL, Dkt. No. 723 at 6-7) FRE 802, 805, 1002, 402/403
379	<ul style="list-style-type: none"> • <i>Only</i> license terms discussed are for a product not at issue in this case (Micro Focus COBOL) • Concerns false allegations of misconduct by <i>Oracle</i> 	Accuses <i>Oracle</i> of a laundry list of “Anti-Competitive Practices,” including “behaviors, activities, policies, and practices that [. . .] appear to be motivated not by legitimate business concerns, but rather [<i>sic</i>] a desire to foreclose any and all competition.”	FRE 408 (Order re Oracle MIL, Dkt. No. 723 at 7 (reserving issue on case-by-case basis at trial)) Order excluding antitrust rhetoric (Order re Oracle MIL, Dkt. No. 723 at 6-7) FRE 802, 805, 402/403
380	<ul style="list-style-type: none"> • Letter from Oracle’s counsel, not Rimini’s counsel 	Explains concerns that Rimini Street’s public statements are false or misleading.	<i>Admitted.</i>
381	<ul style="list-style-type: none"> • Letter from Oracle’s counsel, not Rimini’s counsel 	Responds to DTX 379	<i>Admitted.</i>
382	<ul style="list-style-type: none"> • Does not concern license terms <i>at all</i> 	Concerns employment-agreement issue.	FRE 402/403, 802
383	<ul style="list-style-type: none"> • Letter from Oracle’s counsel, not Rimini’s counsel 	Requests further information on certain of Rimini Street’s allegations in DTX 379.	FRE 408 (Order re Oracle MIL, Dkt. No. 723 at 7 (reserving issue on case-by-case basis at trial)) Order excluding antitrust rhetoric (Order re Oracle MIL, Dkt. No. 723 at 6-7) FRE 402/403

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<u>DTX</u>	<u>Irrelevant To Purported Defense Because</u>	<u>Summary</u>	<u>Objections</u>
384	<ul style="list-style-type: none"> • Claims only that § 1.12 of a Siebel license permits <i>access</i>, not <i>copying</i> • <i>Only</i> other license term discussed, § 9.1 of a Siebel license, has not been the subject of testimony at trial • Concerns false allegations of misconduct by <i>Oracle</i> 	Alleges misconduct by <i>Oracle</i> , calling <i>Oracle's</i> conduct “an attempt to interfere with or disrupt Rimini Street sales or business operations” and “anticompetitive activities and corresponding violations of the antitrust laws.”	Order excluding antitrust rhetoric (Order re Oracle MIL, Dkt. No. 723 at 6-7) FRE 408 (Order re Oracle MIL, Dkt. No. 723 at 7 (reserving issue on case-by-case basis at trial)) FRE 802, 805, 402/403
385	<ul style="list-style-type: none"> • Letter from Oracle’s counsel, not Rimini’s counsel 	Responds to DTX 379.	FRE 408 (Order re Oracle MIL, Dkt. No. 723 at 7 (reserving issue on case-by-case basis at trial)) Order excluding antitrust rhetoric (Order re Oracle MIL, Dkt. No. 723 at 6-7) FRE 402/403, 802, 805
386	<ul style="list-style-type: none"> • Letter from Oracle’s counsel 	Responds to DTX 378.	
387	<ul style="list-style-type: none"> • Letter from Oracle’s counsel, not Rimini’s counsel 	Responds to Rimini Street’s letter concerning the automated downloading using XO Communications’ credentials that Oracle blocked.	FRE 802, 805, 402/403
388	<ul style="list-style-type: none"> • Concerns <i>only</i> license terms for a product not at issue in this case (Micro Focus COBOL) • Concerns false allegations of misconduct by <i>Oracle</i> 	Further to DTX 379 and DTX 383.	FRE 408 (Order re Oracle MIL, Dkt. No. 723 at 7 (reserving issue on case-by-case basis at trial)) Order excluding antitrust rhetoric (Order re Oracle MIL, Dkt. No. 723 at 6-7) FRE 402/403, 802